



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-136240-D3D1
Eich cyf/Your ref: P/2020/0354

Maes Y Ffynnon,
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Wrexham County Borough Council,
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03/02/2021

Dear Sir/Madam,

PROPOSAL: OUTLINE APPLICATION (ALL MATTERS RESERVED EXCEPT FOR ACCESS) FOR UP TO 109 DWELLINGS WITH ASSOCIATED ACCESS AND HIGHWAY IMPROVEMENTS

LOCATION: LAND OFF HILLOCK LANE, GRESFORD, WREXHAM LL12 8YN

Thank you for your further consultation with Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 28/01/2021.

We continue to have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you attach the following condition to the permission and include the following document within the condition identifying approved plans and documents on the decision notice.

Condition (Biosecurity): No development or phase of development, with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority.

Approved plans and documents: Bat Survey Report; October 2019; Penny Anderson Associates Ltd.

Protected Species

Bats

Since issuing our response letter dated 26/08/2020 (our ref: CAS-121050-S2X4), we have reviewed the following document:

- Bat Survey Report; October 2019; Penny Anderson Associates Ltd.

We note that the bat report submitted in support of the above application stated:

No bats were seen to be roosting in the trees but at least four species were recorded using the site.

From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document 'Natural Resources Wales Approach to Bats and Planning (2015)'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the bat report are implemented.

The report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Please consult us again if any further information shows that this is no longer a lower risk case.

Great Crested Newt

Our previous response letter dated 26/08/2020 (our ref: CAS-121050-S2X4) noted that the ecology report submitted in support of the application (reference: Hawley, G and Boffey, C.; 2020; Land Off Hillock Lane, Gresford: Extended Phase 1 Habitat Survey; Penny Anderson Associated) had "identified records of Great Crested Newts (GCN) within close proximity to the site." The results of the Desk Study from the Extended Phase 1 Habitat Survey stated:

There are ten records for great crested newt (*Triturus cristatus*, GCN) although there are no ponds within the site boundary.

4.19 Amphibians and reptiles were not observed on the site during the survey. There were no waterbodies present and the pastures were cattle-grazed or re-seeded, reducing suitability. However, the scrub area and connecting corridors of hedgerows with tall ruderal margins offer suitable terrestrial habitat for amphibians and reptiles.

4.20 GCN and common toad had been recorded previously in the surrounding 1km search area, in addition to a small number of reptiles (grass snake, adder and slow worm).

We consider the applicant has submitted sufficient information to inform the planning decision making process in respect of the application site boundary (red line on Figure 3 as included in the Report to Inform Habitats Regulations Assessment; February 2020; Penny Anderson Associates Ltd.).

Notwithstanding this, the ecological report considers the relative value of improved grassland for Great Crested Newt. The species in north east Wales (and Wrexham in particular) is typically (and predominantly) associated with this habitat type and land use. Consequently, we consider that the ecological submission appears to undervalue this habitat in terms of its relative value for the species.

We consider that the land located to the south of the application site boundary is within the range of local population which breed in ponds located to the south of Vicarage Lane.

Biosecurity

We consider biosecurity to be a material consideration owing to the location/nature of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases.

Condition: No development or phase of development, with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

The Biosecurity Risk Assessment should be carried out in accordance with the approved details.

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.

Foul Drainage

No information has been provided regarding the disposal of foul waters from the proposed development. We refer you to Welsh Government Circular 008/2018 on the use of private sewerage in new developments, and specifically paragraphs 2.3-2.5, which stress the first presumption must be to provide a system of foul drainage discharging into a public sewer. We advise you that the proposed development is in a publicly sewered area.

Please consult us again if foul sewage from the proposed development is to be disposed of by a private sewerage system.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yours faithfully

Tristan Williams

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales